

# TENURE RENEWAL POLICY



## Overview

Employment as a leading teacher/learning specialist is subject to Division 2 of Part 2.4 of the *Education and Training Reform Act 2006*. Leading teacher/learning specialist positions are tenured for up to five years. At the expiration of tenure there is provision for renewal of tenure for a further period subject to agreement between the leading teacher/learning specialist and the principal.

This guide sets out the procedures for contract renewal for assistant principals and provides advice on leading teacher/learning specialist tenure renewal. Separate procedures for principal contract renewal are available on HRWeb.

## Tenure Renewal – Leading Teachers/Learning Specialists

Principals are responsible for the tenure renewal process for leading teachers/learning specialists.

Leading teacher/learning specialist positions are tenured for periods of up to five years. Successful applicants for leading teacher/learning specialist positions will be employed on an ongoing basis with tenure in the position for the period as advertised. A principal is required to undertake action in relation to the tenure of each leading teacher/learning specialist position not less than three months before the expiry date of the tenure. Any concerns about the performance of a leading teacher/learning specialist would normally be known and should have been addressed well in advance of renewal considerations.

Prior to meeting with a leading teacher/learning specialist to discuss tenure renewal the principal will need to determine whether the position is to be continued, abolished or advertised consistent with the school's long term workforce planning.

The principal's course of action may be influenced by a number of factors including:

- changes in the workforce plan
- changes in the structure of the school's staffing profile
- changes to the school strategic plan
- a desire to broaden the applicant field
- a desire to increase diversity within the leadership profile
- a change in the work value of the position.

Not less than three months prior to the completion of the period of tenure the principal will meet with the leading teacher/learning specialist to discuss the tenure renewal decision. The leading teacher/learning specialist may wish to bring a colleague to this meeting.

The outcome of this meeting will be one of the following:

- The tenure will be renewed for a specified period of up to five years;
- The tenure will not be renewed and the position will be advertised and the leading teacher/learning specialist may apply for the position; or
- The tenure will not be renewed and the position will be abolished.

Where tenure is renewed the leading teacher/learning specialist will be informed in writing, including the period of renewal.

Where the Principal determines not to renew the tenure, the Principal will advise the leading teacher/learning specialist of the decision in writing not less than two months before the expiry date of the tenure and that action will be taken to appoint the leading teacher/learning specialist as a classroom teacher within the school at the maximum salary level.

At the conclusion of any tenured period the [decision](#) relating to the position will be recorded and placed on the teacher's personnel file with a copy provided to the teacher.

Administrative procedures and a proforma are available on HRWeb.

## RELINQUISHMENT DURING TENURED PERIOD

A leading teacher/learning specialist may at any time prior to the conclusion of their tenure apply to relinquish their leading teacher/learning specialist position. The application should be in writing and include the reasons for the request and the proposed date of effect of the relinquishment. The principal will consider any such application having regard to the teacher's reasons for the application and the likely impact on the school's operations.

If the principal approves the teacher's application to relinquish, the employee will transfer to a classroom teacher position with effect from the date agreed between the principal and the employee and the tenure renewal procedures above do not apply. The employee's salary on transfer will be determined as if all of the employee's service at or above the classroom teacher level had been at the classroom teacher level consistent with the salary on transfer policy.

Unless otherwise agreed by the principal, a request to withdraw a relinquishment will not be accepted after the date of receipt of the notification.

## Grievances

An assistant principal or a leading teacher/learning specialist who is dissatisfied with a renewal decision may seek a review of the renewal decision through the Merit Protection Boards in accordance with the appropriate Ministerial Orders. The only grounds for review of a non-renewal decision are that the renewal process was procedurally deficient or that the decision is demonstrably inconsistent with the evidence presented. The Merit Protection Board will either:

- disallow the grievance and confirm the renewal decision; or
- uphold the grievance and direct that the procedural deficiency in the renewal process be corrected; or
- uphold the grievance and direct that the decision be reconsidered.

## Further assistance

Further information, advice or assistance on any matters related to contract renewal for assistant principals or tenure renewal for leading teachers/learning specialists is available by:

- accessing the A-Z topic list on [HRWeb](#),
- using the related topics list at [Contract of Employment](#) or [Leading Teachers/Learning Specialists](#)
- contacting the Schools People Services on 1800 641 943.

## REVIEW CYCLE

This policy was Tabled at School Council and updated April 2019